



Montana Department of  
**REVENUE**

# LIQUOR CONTROL DIVISION

## Frequently Asked Questions

### Liquor License Lottery

**Q. What is a liquor license lottery?**

A. A liquor license lottery is a lottery drawing to determine a successful applicant for either a new city beer license, "floater" all-beverages license, new all-beverages or new restaurant beer and wine license

**Q. When does the department conduct liquor license lotteries?**

A. The department receives census information from the Bureau of the Census, United States Department of Commerce in July of each year and that is what determines if there will be any licenses available throughout the state. The department also conducts lotteries in the case of a license becoming available due to lapse therefore causing a license to become a "last available" license.

**Q. What is the process for a liquor license lottery?**

A. When an available license within a quota area is determined and public notice of the availability is required, a notice will be promptly published once a week for four consecutive weeks in the newspaper of general circulation in the quota area. There will be a deadline of 10 days from the last publication date to apply for an available license. Lotteries will be conducted only for those areas that have more lottery applicants than available licenses.

**Q. How do I apply for the lottery?**

A. The applications for lottery can be acquired through the department or on the department website.

**Q. Can I be placed on a waiting list for the lottery?**

A. No

**Q. Can I submit more than one lottery application?**

A. No, only one lottery application per person, per license type, will be accepted. "Person" as defined in ARM 42.12.401 means any individual, firm, partnership, limited liability company, corporation or association. You may only apply once, for any lottery awarded all-beverages license, in a 12 month period.

**Q. What is a “Floater” License?**

A. A “floater” license is an All-Alcoholic Beverage license that may be transferred to a new location outside the quota area for which it was originally issued. This type of license cannot be mortgaged, pledged as security or transfer ownership for a period of 5 years after the transfer.

**Q. If I am a successful lottery applicant, how do I apply for the actual license?**

A. If you are a successful applicant, you will have 30 days (60 days for a “floater” license) to submit a completed application to the department. An additional 30 days (60 days for a “floater” license) may be granted to an applicant upon the department receiving and approving a written request by the applicant that explains the need for additional time.

**Q. If I am a successful lottery applicant as a sole proprietor, may I apply for the actual license as a corporation?**

A. No, the application for licensing must be identical to the lottery application. Failure to produce identical information on both documents will cause disqualification of the applicant.

**Q. If I am successful, can I just hold onto the license until I am able to sell it or operate?**

A. No, if a successful lottery applicant does begin operation of the license within 1 year of notification by the department of license eligibility, the applicant shall forfeit the license.

**Q. How soon can I sell my “floater” all-beverage license once I am approved?**

A. If you are a successful applicant and are approved to operate a “floater” all-beverages license, the license may not be mortgaged or pledged as security and may not transfer ownership for a period of five years.

**Q. If I am a successful applicant, may I apply for a gambling license?**

A. No, any newly issued city beer license is gaming restricted, restaurant beer and wine licenses are always gaming restricted and any all-beverages license issued as a result of a lottery is also gaming restricted.

- “Last available” all-beverages licenses are eligible for gaming licenses.